

**No. 18-1557**

---

In the Supreme Court of the United States

---

WILLIAM JAMES and TERRI TUCKER,  
Petitioner(s)

v.

BARBARA HUNT, HARPO, LIONSGATE  
ENTERTAINMENT. OPRAH WINFREY,  
OPRAH WINFREY NETWORK (OWN),  
TYLER PERRY, TYLER PERRY COMPANY,  
TYLER PERRY STUDIOS, LLC. and  
CHIEF JUDGE THOMAS W. THRASH, JR.,  
Respondent(s)

---

On Petition for Writ of Certiorari  
To the U.S. Eleventh Circuit Court of  
Appeals

---

**JOINT SUPPLEMENTAL BRIEF FOR  
PETITIONERS**

---

WILLIAM JAMES  
ProSe Petitioner of Record  
14920 S. Ashland  
Harvey, Il 60428  
Phone: 773-990-9373

TERRI TUCKER  
ProSe Petitioner of Record  
1136 Joslin Path  
Douglasville, Ga 30134  
Phone: 678-822-4593

---

## **Table of Contents**

I. New Decision of Current Case that Affects the Outcome of Current Case.....	2
II. Background for Civil RICO District Court Claim and Why it is Not a Copyright Infringement Case.....	11
III. Conclusion.....	14

## **Appendix**

Appendix A – Court of Appeals Opinion (Aug. 12, 2019).....	1a-7a
Appendix B – District Court Orders 168 (Aug. 10, 2018) .....	7a-16a
Appendix B – District Court Orders 169 (Aug. 10, 2018) .....	16a-17a
Appendix C – Appellate Denial Consolidation and Five Motions 17-14866 (Sep. 21, 2018).....	18a-19a
Appendix C – Appellate Denial Consolidation and Five Motions 18-13553 (Sep. 21, 2018).....	20a-21a

## **Table of Authorities**

Cases.,	
Acha v. Beame,	
570 F.2d 57, 62 (2d Cir. 1978).....	10
Allmerica Fin. Life Ins. & Annuity Co. v.	
Llewellyn,	
139 F.3d 664, 665–66	
Brankovic v. Snyder,	
578 S.E.2d 203, 207	
(Ga. App. 2003).....	4
Boyle V. United States,	
785, 838, 07-1309	

## Table of Authorities

(Supreme Court 2009).....	13
Brockton Sav. Bank v. Peat, Marwick, Mitchell & Co., 771 F.2d 5, 11–12 (1st Cir. 1985).....	5
(9th Cir. 1997).....	4
Curtiss-Wright Corp. v. General Elec. Co., 446 U.S. 1, 8 (1980).....	4
Demjanjuk v. Petrovsky, 10 F.3d 338, 348 (6th Cir. 1993).....	8
Fierro v. Johnson, 197 F.3d 147, 154 (5th Cir. 1999).....	7
Formax, Inc. v. Hostert, 841 F.2d 388, 389-390, Fed. Cir. (1988).....	13
ICONICS, Inc. v. Massaro, 192 F. Supp. 3d 254, 269 (D. Mass. 2016).....	12
Herring v. United States, 555 U.S. 135, 129 S. Ct. 695; 172 L.Ed. 2d 496; (2009).....	7, 8
Outback Steakhouse of Florida., Inc. v. Markley, 856 N.E.2d 65, 85 (Ind. 2006).....	4
People v. Scruggs, 52 P.3d 237, 241 (Colo. 2002).....	4
People v. Zajic, 88 Ill.App.3d 477, 410 N.E.2d 626 (1980).....	11
Scheidler v. Nat'l Org. for Women, Inc. (Scheidler 1I), 537 U.S. 393, 397 (2003).....	2
Sears, Roebuck Co. v. Mackey, 351 U.S. 427, 437, 76 S.Ct. 895, 900, 100 L.Ed. 1297 (1956).....	10

## Table of Authorities

Sedima, S. P. R. L. v. Imrex Co., 473 U.S. 479, 489 (1985).....	13
Tafflin v. Levitt, No. 88-1650 (Jan. 22, 1990).....	13
United States General, Inc. v. Albert, 792 F.2d 678, 680-81 (7th Cir. 1986).....	4

## Federal Rules of Civil Procedure:

Fed.R.Civ.P. 12(b)(6).....	5
Fed.R.Civ.P. 12(c).....	3, 10
Fed.R.Civ.P. 14(b).....	4
Fed.R.Civ.P. 54(b).....	4, 9, 11
Fed.R.Civ.P. 56(b).....	2

## Statutes:

18 U.S.C. § 371, (1946).....	5
18 U.S.C. § 1341.....	5
18 U.S.C. § 1503.....	5
18 U.S.C. § 1510.....	5
18 U.S.C. § 1512.....	5
18 U.S.C. § 1513.....	5
18 U.S.C. § 1621.....	4
18 U.S.C. § 1623.....	4
18 U.S.C. § 1961.....	10
18 U.S.C. § 1962.....	10
18 U.S.C. § 1964 (1970).....	10
18 U.S.C. § 2319.....	5
28 U.S.C. § 1253.....	15
28 U.S.C. § 1254(1)(2).....	15
28 U.S.C. § 1292(b).....	9

## U.S. Constitution:

First (1 <sup>st</sup> ) Amendment, U.S. Const., art. 1, sec. 8.....	5
---	---

In the Supreme Court of the United States

---

**No. 18-1557**

**WILLIAM JAMES and TERRI TUCKER**  
Petitioner(s)

v.

**BARBARA HUNT, HARPO, LIONSGATE  
ENTERTAINMENT. OPRAH WINFREY,  
OPRAH WINFREY NETWORK (OWN),  
TYLER PERRY, TYLER PERRY COMPANY,  
TYLER PERRY STUDIOS, LLC. AND  
CHIEF JUDGE THOMAS W. THRASH, JR.,**  
Respondent(s)

---

On Petition for Writ of Certiorari  
To the U.S. Eleventh Circuit Court of  
Appeals

---

**JOINT SUPPLEMENTAL BRIEF  
FOR PETITIONERS**

---

The supplemental brief, filed pursuant to Rule 15.8 and 12.6 of this Court, brings to the Court's attention the opinion of the court of appeals in these related cases, which was issued after the filing of the petitioner's petition for a writ of certiorari before judgment, and addresses its impact on the pending petition.

## **I. New Decision of Current Case that Affects the Outcome of Current Case**

1. On August 10, 2018, the district court entered an injunction under respondents second counterclaim judgment this time under the All Writs Act to protect itself, enjoining and ordering the petitioners from filing any further pleading, motion, or other paper in relation to the instant action (other than the pending appeal and any appeal of this order), and any new lawsuit in any court against any of the defendants named in this action involving claims arising from the same factual predicate or nucleus of operative facts as this case without obtaining the express written permission of the district court judge.

2. The district judge cannot limit the predicates of RICO, or use an injunction to prevent respondents from answering the Civil RICO and other anti-trust charges of the complaint. See also, *Scheidler v. Nat'l Org. for Women, Inc.* (Scheidler 1I), 537 U.S. 393, 397 (2003) (limiting the predicate racketeering act of extortion). In the same order, August 10, 2018, the court granted the respondents second counterclaim-summary judgment Federal Rules of Civil Procedure Rule 56(b), Equitable Jurisdiction, the law of chancery, for copyright infringement in favor of respondents for petitioners' prior civil copyright infringement actions a second time in the same case, whereas defense should also be collaterally estopped.

3. The respondents falsely motioned to reassign Judge Thomas W. Thrash, Jr. to the case based upon petitioner's failure to disclose prior Civil RICO cases, asserting a total combined of three prior cases identical to within action(s) for recovery of Civil RICO 18 U.S.C. 1964 damages, alleging predicate acts of copyright infringement and counterfeit goods, to petitioners current Civil RICO complaint and doc. 15, Judge Story's statement paraphrased, denying petitioners injunction stating monetary damages can be awarded at the end of the Civil RICO case if prevailing.

4. The respondents changed their pleadings from petitioners having three prior "Civil RICO" actions to three prior "Copyright Infringement" actions, filing of their Federal Rule of Civil Procedure Rule 12(c) judgment on the pleading counterclaim as being identical to this case "three prior copyright infringement" cases.

5. The respondents used the same three prior normal civil copyright infringement cases to both motions and further applying "res judicata and collateral estoppel. Both times to obtain a favorable decision that affected the outcome of the case, to reassign judge of choice and to obtain judgement, granted on orders 138, Oct. 18, 2017, and on orders 168-169, Aug. 10, 2018, using the same counterclaim, awarded twice in the same case, and to date, no ruling in any order "denying or granting" Civil RICO 18 U.S.C. 1964, or other petitioners claims.

6. Petitioners disputed awarding 17 U.S.C. 501 for “copyright infringement” to respondents in a motion for reconsideration doc. 142, and writ of mandamus, 141 after orders 138 on a 54(b) interlocutory order 1292(b) certifying “there is no just reason for delay” triggered appeal rights and orders Nov. 20, 2017 permitting appeal (17-14866). The district judge knew he did not preside on petitioner Tucker prior action as Civil RICO, and failed to correct prior action to copyright infringement on reassignment. The district court must first assess the finality of the disputed ruling. *Curtiss-Wright Corp. v. General Electric Co.*, 446 U.S. 1, \*43 7, 100 S.Ct. 1460, 1464, 64 L.Ed.2d 1 (1980); *United States General, Inc. v. Albert*, 792 F.2d 678, 680-81 (7th Cir. 1986); *Bank of New York*, 108 F.R.D. at 186.

7. See, *Perjury Generally*, 18 U.S.C. § 1621; *Perjury* 18 U.S.C. § 18 U.S.C. § 1623. *Outback Steakhouse of Florida, Inc. v. Markley*, 856 N.E.2d 65, 85 (Ind. 2006) (disciplining by ethics committee for false statements); *People v. Scruggs*, 52 P.3d 237, 241 (Colo. 2002) (holding that disbarment was an appropriate remedy for abuse).

8.0See, *Allmerica Fin. Life Ins. & Annuity Co. v. Llewellyn*, 139 F.3d 664, 665–66 (9th Cir. 1997) See, *Brankovic v. Snyder*, 578 S.E.2d 203, 207 (Ga. App. 2003) (stating that “[a] party has no right to a judgment based on false “admissions” due to late response).



9. On July 5, 2017, document 85, petitioners added district judge as respondent claim was made pursuant to Federal Rule of Civil Procedure 14. The judge responded, through the Assistant United States Attorney's Office, motion to dismiss pursuant to Rule 12(b)(6), later orders denied recusal, reassignment and dismissed himself from the case. Aug. 10, 2018, orders should not have been allowed until after decision of abuse of discretion was reviewed by appellate court.

10. On Jan. 24, 2018, the appellate court issued a jurisdictional question and accepted probable jurisdiction March 29, 2018, providing response brief dates. The respondents filed a summary judgment-counterclaim and injunction on Feb. 5, 2018, orders Aug. 10, 2018, were filed while parties awaiting decision from appellate court. The district judge broke subject matter jurisdiction to file orders violating petitioners U.S. Const., First Amendment to freely access the courts to move the case forward for trial on the petitioners Civil RICO claims never adjudicated on any orders or defended in any respondents pleading.

11. The current case is Civil RICO and only "one" of the many patterns(s) and predicate acts used pursuant to 18 U.S.C. 1962, is Criminal Copyright Infringement 18 U.S.C 2319, to include 1341, 1510-13, etc. The petitioners filed the Civil RICO 18 U.S.C. 1964, pursuant to other claims, the Sherman Anti-Trust Act 15 U.S.C. 1-38, Hobbs Act, Conspiracy 18 U.S.C. 371 Anti-trust Acts and

the U.S. Constitution First Amendment, Art. 1, Sec. 8, under the Copyright Act, protecting other rights.

12. On Aug. 20, 2018, petitioners filed three documents in both lower courts, (1) Petitioners' Joint and Consolidated Amended Notice of Appeal for Case No. 17-14866, document 170, (2) permission motion document 171, object and oppose orders, documents 168-169, (3) permission motion, document 172, reconsider documents 168-169, subject-matter-jurisdiction belonged to appellate court.

13. The case 18-13553 on petition for writ of certiorari issues that belong to this case was fraudulently created under a new appeal using petitioners Joint and Consolidated Amended Notice of Appeal, document 170, to amend the new orders on Aug. 10, 2018 to current appellate case no. 17-14866, the orders dated Aug. 12, 2019 state they have no jurisdiction over the issues and claims of 18-13553 claiming doctrine of the law belong to this "pending", petitioner's writ of certiorari, case no. 18-1557, on conference, Oct, 1, 2019.

14. Additional fraud upon the court by the court began on Aug. 23, 2018, the district court created six (6) docket entries to transmit petitioners "amended notice of appeal", document 170 created documents, 173, 174, 175, 176, and two (2) large note sections multiple corrections and transmittals. On Aug. 12, 2019 orders state 18-13553 is petitioner's writ of mandamus and motion to

reconsider. The appellate court is aiding the district judge making it appear as though his new decision is from issues prior to appeal 17-14866 Oct. 26, 2017. The Judge in the "Court Only Notes" of the docket sheet, "certified copy available" states all decisions and motions relate back to orders 154 or 138.

*Fierro v. Johnson*, 197 F.3d 147, 154 (5th Cir. 1999) (holding in order to establish fraud on the court, it is "necessary to show an unconscionable plan/scheme designed to improperly influence the courts own discretion.")

15. On Aug. 23, 2018, district court clerks willfully committed "fraud upon the court" again, attempting to send, petitioners "Amended Notice of Appeal", Document 170 to "unused" document 140, visible on "court only" docket sheet, labeled clerks errored judgement entry, Oct. 19, 2017, for district orders The Eleventh Circuit affirmed on Aug. 12, 2019 prior appeal 17-14866, as law-of-doctrine of this case, proving this case violated subject matter jurisdiction district orders document 168-169 stamp, instead of rescanning a fresh copy into 140, motion filed this case appellate Sep. 28, 2018. Clerks intentionally transmitted forged document no. 140 to petitioners closed on Mar. 26, 2018, appellate "writ of mandamus" case 18-10164.

"*Brockton Sav. Bank v. Peat, Marwick, Mitchell & Co.*, 771 F.2d 5, 11-12 (1st Cir. 1985) (affirming district court's entry of default judgment under court's inherent powers in response to

defendant's abusive litigation practices)"

Under the standard of this court the petitioners have established, *Herring v. United States*, 555 U.S. 135, 129 S. Ct. 695; 172 L. Ed. 2d 496; (2009). (1) an intentional fraud; (2) by an officer of the court; (3) which is directed at the court itself; and (4) in fact deceives the court, also held by the Sixth Circuit, *Demjanjuk v. Petrovsky*, 10 F.3d 338, 348 (6th Cir. 1993).

16. On Aug. 30, petitioners obtained court certified copies of the "court only" transmitted amended notice and orders, district docket sheet, petitioner filed it with a motion to the appellate court and letter to the clerks to assist in correcting docket. Previously appellate manager Brenda McConnell took petitioners amended document 170 issues to chambers, after seeing it electronically in the appellate system, she reviewed the district record document 170 was filed Aug. 20, 2018, and instead appellate court had received document 140, dated Oct. 19, 2017 sent to closed appeal, 18-10164. McConnell advised petitioners to consolidate both appeals, the new erroneous appeal 18-13553 to open appeal 17-14866; and file a fee waiver in district court.

17. The petitioners complied and filed in both appellate cases a motion to consolidate, Aug. 30, 2018, petitioners checked docket finding respondents filed response to petitioners motion to consolidate two days early Aug. 28, 2018, the only person

besides McConnell knowing was Ms. Janet Mohler case handler, scolded by supervisor Ware for holding petitioners motions for eight days when they get two days to upload. Ms. Mohler is the same person that issued jurisdictional question, Jan. 24, 2018 stating a pending counterclaim was on district court record twelve days before it was filed by respondents Feb. 5, 2018.

18. The district judge committed fraud upon the court stating new orders documents 168 and 169 were simply restatements of orders document 138, dated Oct. 19, 2017, he closed petitioner's new motions, documents 172-173, Aug. 20, 2018, on orders document 154, Nov. 20, 2017, the eleventh requested orders Nov. 2, 2017 to move appeal no. 17-14866 forward on petitioners pending de. 142.

19. On Aug. 23, 2018 respondents admit, document 177, district judges' orders granting counterclaim and injunction, document 157, probably violated appellate subject matter jurisdiction. The appellate court tried to cover this these facts on petitioners five motions that duplicated the district record of documents 170, 171, 172 filed into 174866 by denying and requesting refiling into the new erroneously created appeal 18-13553, then they state on Aug. 12, 2019 the issues belong to the law of the doctrine of the case 17-14866, in a concerted effort of the district court make it appear new orders were before petitioners "notice of appeal" document 144, Oct. 26 2017, for case 17-14866 accepted due to abuse of discretion

of the 1292(b), 54(b), and dismissing himself from the case.

20. Failure to close petitioners' issues of Civil RICO 18 U.S.C. 1964, and only closing respondents' issues using a 54(b) certification, the district court must first assess the finality of the disputed ruling, did not satisfy finality. *Curtiss-Wright Corp. v. General Electric Co.*, 446 U.S. 1, \*43 7, 100 S.Ct. 1460, 1464, 64 L.Ed.2d 1 (1980); *United States General, Inc. v. Albert*, 792 F.2d 678, 680-81 (7th Cir. 1986); *Bank of New York*, 108 F.R.D. at 186. If the ruling lacks the necessary finality, application must fail. As the Court has said, "[t]he District Court cannot, in the exercise of its discretion, treat as 'final' that which is not 'final' within the meaning of [28 U.S.C.] § 1291." *Sears, Roebuck Co. v. Mackey*, 351 U.S. 427, 437, 76 S.Ct. 895, 900, 100 L.Ed. 1297 (1956) (emphasis in original). As an adjunct of this inquiry, of course, it must be shown that the ruling, at a bare minimum, disposes fully "of at least a single substantive claim." *Acha v. Beame*, 570 F.2d 57, 62 (2d Cir. 1978).

21. Respondents continually fight to stifle petitioners right to speak or prosecute Civil RICO in this case they filed, motion to stay for protective order, July 6, 2017, motion to stay discovery, motion to modify the discovery period, Jul. 10, 2017, stipulations are petitioners not be allowed discovery or file any motions/pleadings until after district judge rules on their counterclaim of copyright infringement Fed.R.Civ.P. 12(c), document 74, Jun. 27, 2017, granted orders document

95-96 to deceitfully collaterally estop and res judicata to avoid petitioners discovery ordered on orders 124, acknowledging Civil RICO 18 U.S.C. 1961-1964, Sherman, Clayton, Hobbs Anti-Trust charges; district court granted, document 138, 54(b) certification, "there is no just reason to delay", on Oct, 19, 2017,

22. The district judge knew it was abuse of discretion, respondent's defensive counterclaims were also res judicata and collaterally estopped via petitioners, reply and counterclaim document 49, on May 22, 2017. Allowing collaterally estopped defense document 74, prejudiced the case, for intrinsic and extrinsic fraud upon the court, by the lawyers, clerks of the court and the court, as discovery is not provided otherwise. A federal judge is a federal judicial officer, paid by the federal government to act impartially and lawfully. See, *People v. Zajic*, 88 Ill.App.3d 477, 410 N.E.2d 626 (1980) 18 U.S. Code § 371. Conspiracy to Commit Offense or to Defraud United States.

## **II. Background for Civil RICO District Court Claim and Why it is Not a Copyright Infringement Case**

1. Petitioners complaint followed the guidelines for Civil RICO outside of the predicate acts, pleading Oprah Winfrey Network (OWN), Tyler Perry Studios (TPS) and Lionsgate Entertainment (LG) were "RICO Enterprise(s)", "Individuals" Tyler Perry and Oprah Winfrey openly publicized

entering into an "Exclusive Business" monopoly production deal, violating competition laws, Sherman Anti-trust act, expressing "Conduct", of using drug money and plagiarized copywritten works, criminally avoiding copyright infringement, fraudulently concealing the "Pattern" racketeering activity, bribes court officials to overthrow court procedures.

2. Respondents counterfeited petitioners copyrights, funding the business with the illegal works which is the "Enterprise(s)" usual way of conducting business, identifying "Individuals" Barbara Hunt and TPS staff to scout for new unsuspecting writers works to continue to perpetuate the scheme, (hence the multitude of copyright lawsuit claims from disenfranchised writers against the individuals that believe their works were copyright infringed, when works "were not copyright infringed" they were "criminally plagiarized" to avoid infringement legalities), new claims have been made since this complaint, proving crimes will continue.

3. Petitioners and other writers are then injured by the predicates in the business of their names, as "writers in Hollywood" by having court officials employed attorneys give the media public statements using the writers names, going on a smear campaign, blacklisting their ability to obtain work in the field of writing films, which is separate from the "injury" caused by the predicate acts. This in no way a "copyright infringement" case and



more than twenty-five cases were used to exhibit the predicate acts. Established predicate act use of copyright infringement, *ICONICS, Inc. v. Massaro*, 192 F. Supp. 3d 254, 269 (D. Mass. 2016).

4. Petitioners exhibited evidence of attorneys threatened in prior actions, after each attorney met with respondents they were threatened, hospitalized, blind sided and begged the court indulgence, see *Hobbs Acts*, threats and physical violence to abandon petitioners' cases. See, *Formax, Inc. v. Hostert*, 841 F.2d 388, 389-390, Fed. Cir. (1988); *Boyle V. United States*, 785, 838, 07-1309 (Supreme Court 2009), *Sedima, S.P.R.L. v. Imrex Co.*, 473 U.S. 479, 498 (1985).

5. The court of appeals' decision significantly strengthens the argument for granting certiorari in these cases. The court of appeals affirmed the district court's orders in every respect, thus the cases, *The United States Supreme Court* decided that state courts have concurrent jurisdiction over civil RICO claims in *Tafflin v. Levitt*, No. 88-1650 (Jan. 22, 1990).

6. Although petitioners' petition in one these cases was filed as one certiorari before judgment of the second judgment, the issuance of the court of appeals' intervening decision does not deprive the Court of the authority to grant it. If granted, the writ of certiorari would still be directed to the court of appeals, and this Court could still exercise jurisdiction pursuant to 28 U.S.C. 1254(1) ("Cases in the courts of appeals may be

reviewed by the Supreme Court by \* \* \* writ of certiorari granted upon the petition of any party \* \* \* before or after rendition of judgment or decree.”).

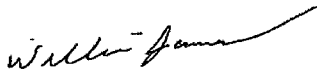
7. This Court’s Rules do not establish any additional requirements, other than inclusion of the court of appeals’ opinion (attached as an appendix to this brief), for a petition for a writ of certiorari after judgment. See Sup. Ct. R. 10-16. Granting this petition would be consistent with course of proceedings in *United States v. Windsor*, 570 U.S. 744 (2013), this Court’s jurisdiction 28 U.S.C. § 1253-4(1)(2).

### **III. Conclusion**

1. Petitioner’s file this supplemental brief, to which attached a copy of the court of appeals’ opinion, requesting that its petition be considered as a petition for writ of certiorari after judgment. The petitioner’s prayer for relief is considering accepting these two petitions, reviewing for Civil RICO 18 U.S.C. 1961-1964 other anti-trust related issues for statutory provisions reserved.

Respectfully submitted.

Date: Sep. 18, 2019

  
William James  
Prose Petitioner  
14920 S. Ashland  
Harvey, Illinois 60428  
Email: [BJ255758@yahoo.com](mailto:BJ255758@yahoo.com)

Phone 773-990-9373

A handwritten signature in black ink, appearing to read 'Tucker' with a stylized flourish at the end.

Terri V. Tucker (aka)  
Donald-Strickland  
aka Tlo-Redness  
Prose Petitioner  
1136 Joslin Path  
Douglasville, GA 3013  
Email: [terrilowe43@gmail.com](mailto:terrilowe43@gmail.com)  
Phone: 678-822-4593

**APPENDIX A**

**Case:18-13553 Date Filed: 08/12/2019**

**Page: 1 of 8**

**[DO NOT PUBLISH]**

**IN THE UNITED STATES COURT OF  
APPEALS  
FOR THE ELEVENTH CIRCUIT**

No. 18-13553                      Non-Argument Calendar

Docket No. 1:17-cv-01181-TWT

WILLIAM JAMES, Sui Juris, TERRI V.

TUCKER, Sui Juris, a.k.a. Terri V. Donald-

Strickland, a.k.a. TLo-Redness,

Plaintiffs-Counter

Defendants-Appellants,

versus

BARBARA HUNT, JUDGE THOMAS W.

THRASH, JR.,

Defendants-Appellees,

HARPO, LIONSGATE ENTERTAINMENT,

OPRAH WINFREY NETWORK, (OWN)

OPRAH WINFREY, d.b.a. Oprah Winfrey

Network, TYLER PERRY COMPANY, TYLER

PERRY STUDIOS (TPS), TYLER PERRY, a.k.a.

Emmett Perry Jr., a.k.a. Emmett J. Perry, a.k.a.

Buddy, a.k.a. John Ivory, a.k.a. Emmett M.

Perry, et al.,

Defendants-

Counter/Claimants-

Appellees.

Appeal from the United States District Court for  
the Northern District of Georgia

**(August 12, 2019)**

Before WILLIAM PRYOR, GRANT and BLACK, Circuit Judges. PER CURIAM: William James and Terri V. Tucker appeal pro se the district court's orders: (1) granting summary judgement to Defendants on their counterclaims under the All Writs Act, 28 U.S.C. § 1651(a), against Plaintiffs in their underlying lawsuit, issuing an All Writs Act injunction against Plaintiffs, and denying Plaintiffs' motion for judgment; and (2) denying Plaintiffs' petition for a writ of mandamus, denying their motion for reconsideration, and granting their motion for appeal. After review, we affirm.

Case: 18-13553 Date Filed: 08/12/2019

Page: 3 of 8

## **I. BACKGROUND**

Briefly, this appeal concerns ongoing litigation originally initiated when Plaintiffs filed a pro se complaint against Lionsgate Entertainment (Lionsgate), Tyler Perry, Tyler Perry Company, Tyler Perry Studios (collectively, the Perry Defendants), Oprah Winfrey, Oprah Winfrey Network, and Harpo, Inc. (collectively, the Winfrey Defendants), raising claims under the Racketeer Influenced and Corrupt Organizations Act (RICO), pursuant to 18 U.S.C. §§ 1961 and 1964, the U.S. Copyright Act, 17 U.S.C. § 501, and numerous other state and federal laws, seeking damages and other relief.

Their essential claim was that these Defendants criminally plagiarized and/or infringed Tucker's copyrighted book and James's copyrighted screenplay through creating and distributing two Tyler Perry movies. The district

court eventually ruled on several dispositive motions, resulting in the effective dismissal of all of Plaintiffs' pending claims. Plaintiffs then filed an appeal in this Court (Case No. 17-14866), and we affirmed the district court's rulings on several preliminary and dispositive motions. *James v. Hunt*, 761 F. App'x 975 (11th Cir. 2019). In the meantime, Plaintiffs filed a petition for writ of mandamus, a motion objection to and seeking reconsideration of the orders that were the subject of the then-ongoing appeal, and a "Joint Application to Appeal from All Orders and Final

**Case: 18-13553 Date Filed: 08/12/2019**

**Page: 4 of 8**

Order Rule 54(b)."Following Defendants' responses, the district court issued an order: (1) denying Plaintiffs' petition for a writ of mandamus; (2) denying their motion for reconsideration; and (3) granting in part their joint application to appeal to the extent they could appeal as of right, and otherwise denying the joint application (Mandamus Order). Following the first appeal, the Lionsgate/Perry/Winfrey Defendants filed in the district court a Fed. R. Civ. P. 56 motion for summary judgment on several of their counterclaims for injunctive relief. Specifically, they requested that Plaintiffs be barred from filing any more lawsuits, in either state or federal court, against them based on the same facts and activities, which had formed the basis of numerous prior unsuccessful lawsuits against them.

The district court eventually granted this motion and imposed a filing injunction against Plaintiffs (Injunction Order). The instant appeal followed.

## **II. DISCUSSION**

Before addressing the substance of the issues on appeal, it is necessary for us to clarify which of the district court's orders are properly before us. Plaintiffs designate in their notice of appeal, and in their appellate brief, that they are seeking to appeal from all of the district court orders within Documents 1 through 169. They raise 30 "issues" on appeal essentially arguing error as to: (1) the district court's preliminary orders, Docs. 15, 71, 76, 95, 96; (2) the court's earlier orders

**Case: 18-13553    Date Filed: 08/12/2019**

**Page: 5 of 8**

which were the subject of Case No. 17-14866—cumulatively granting and denying Defendants' pending motions, denying Plaintiffs' pending motions, and dismissing Plaintiffs' claims against Defendants, Docs. 124-39; and (3) their attempts at consolidating the instant appeal with the Case No. 17-14866. However, only the district court's Mandamus Order and Injunction Order are properly before us in the instant appeal. We already have reviewed and ruled upon the district court's prior orders in Case No. 17-14866 and have denied Plaintiffs' motions to consolidate.

Our holdings and rulings from the prior appeal are binding on this appeal under the law-of-the-case doctrine and we decline to readdress any issues related to those previously reviewed and ruled upon orders. *United States v. Anderson*, 772 F.3d 662, 668 (11th Cir. 2014) (“The [law-of-the-case] doctrine provides that “[a]n appellate decision binds all subsequent proceedings in the same case.” (quoting 18B Wright, Miller & Cooper, *Federal Practice & Procedure* § 4478 (2d ed. 2002))).

We similarly decline to address any issues that could have been raised in the prior appeal but were not. See *United States v. Escobar-Urrego*, 110 F.3d 1556, 1560 (11th Cir. 1997) (concluding that the law-of-the-case doctrine applied both to issues actually raised in a prior appeal and to issues that could have, but were not, raised in a prior appeal). To the extent Plaintiffs seek review of any order issued by the district court after they filed the instant notice of appeal, we do not have jurisdiction to review

**Case: 18-13553 Date Filed: 08/12/2019**

**Page: 6 of 8**

any such orders, as they failed to file a new or amended notice of appeal designating those orders. See Fed. R. App. P. 3(c)(1)(B) (“The notice of appeal must . . . designate the judgment, order, or part thereof being appealed . . . .”); *Osterneck v. E.T. Barwick Indus., Inc.*, 825 F.2d 1521, 1528 (11th Cir. 1987) (“The general rule in this circuit is that an appellate court has jurisdiction to



review only those judgments, orders or portions thereof which are specified in an appellant's notice of appeal."). Accordingly, our review in this appeal is limited to the district court's Mandamus Injunction Orders. Plaintiffs, however, fail to properly raise any arguments with regard to these orders. Instead, Plaintiffs' brief on appeal focuses almost exclusively on issues related to district court orders that, as discussed above, are not properly before us in the instant appeal.

In particular, as noted above, the brief focuses primarily on the district court's preliminary and dispositive orders we addressed in Case No. 17-14866, and on Plaintiffs' attempts to consolidate the instant appeal with that case. While we read pro se briefs liberally, issues not briefed on appeal by a pro se litigant are deemed abandoned and will not be considered. *Timson v. Sampson*, 518 F.3d 870, 874 (11th Cir. 2008). A party abandons a claim or issue on appeal that is not plainly and prominently addressed in its brief. *Brown v. United States*, 720 F.3d 1316, 1332 (11th Cir. 2003). The party must go beyond making passing

**Case: 18-13553 Date Filed: 08/12/2019**

**Page: 7 of 8**

references to the claim under different topical headings, and must clearly and unambiguously define the claim and devote a distinct section of his argument to it. *Id.*; *United States v. King*, 751 F.3d 1268, 1277 (11th Cir. 2014) (explaining that terse statements or

arguments in passing are insufficient to save an issue from abandonment). Similarly, an argument is abandoned if the appellant raises it in a perfunctory manner without any substantive arguments or authority. *Old W. Annuity & Life Ins. Co. v. Apollo Grp.*, 605 F.3d 856, 860 n.1 (11th Cir. 2010). As to the Mandamus Order, even applying a liberal construction, Plaintiffs make only passing references to their mandamus petition, motion for reconsideration, joint application for appeal, and the court's ruling, and they fail to dedicate any discrete section of their brief on appeal to any of these motions or the court's order.

Such passing references are insufficient to properly raise any issue concerning this order. See *King*, 751 F.3d at 1277. As to the Injunction Order, the only argument Plaintiffs even arguably raise in a proper fashion is their apparent claim that the district court abused its discretion in granting Defendants' summary-judgment motion because the motion was not timely filed. But while the brief includes discussion of this argument, Plaintiffs cite to no law other than Fed. R. Civ. P. 54 and 56, and they fail to devote a distinct section of their brief to this matter, instead providing a relatively brief

**Case: 18-13553 Date Filed: 08/12/2019**

**Page: 8 of 8**

discussion under various other topical headings. See *King*, 751 F.3d at 1277; *Apollo Grp.*, 605 F.3d at 860 n.1; *Brown*, 720 F.3d at 1332. To the extent that Plaintiffs raised new

arguments in their reply briefs, we will not address them. See Timson, 518 F.3d at 874 (“[W]e does not address arguments raised for the first time in a pro se litigant’s reply brief.”).

### **III. CONCLUSION**

Because Plaintiffs have abandoned any issues on appeal as to those orders that are properly before us by failing to plainly and prominently address such issues in their brief, no substantive questions remain before us, and we affirm.

**AFFIRMED**

### **APPENDIX B**

**Case 1:17-cv-01181-TWT Document 168  
Filed 08/10/18 Page 1 of 9**

### **IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION**

**WILLIAM JAMES SUI JURIS, et al.,  
Plaintiffs,  
v.**

**CIVIL ACTION FILE  
NO. 1:17-CV-1181-  
TWT**

**BARBARA HUNT, et al.,  
Defendants.**

### **ORDER**

This is a pro se civil RICO action. It is before the Court on the Defendants’ Motion for Summary Judgment [Doc. 157] and the

Plaintiffs' Motion for Judgment [Doc. 162]. For the reasons set forth below, the Defendants' Motion for Summary Judgment [Doc. 157] is GRANTED and the Plaintiffs' Motion for Judgment [Doc. 162] is DENIED. I. Background the Plaintiffs William James and Terri V. Tucker have asserted patently frivolous copyright infringement claims against the Defendants in a series of proceedings in various courts over the course of five years. Each of these actions arises from the same factual allegations. Tucker claims that the Tyler Perry film "Good Deeds" infringed upon the copyright in her book "Bad Apples Can Be Good Fruit." Similarly, James alleges that the Tyler Perry film "Temptation:

**Case 1:17-cv-01181-TWT Document 168  
Filed 08/10/18 Page 2 of 9**

Confessions of Marriage Counselor" infringed upon the copyright in his screenplay script titled "Lovers Kill." This is the third action arising out of these allegations that Tucker has filed, and the second action that James has filed. Tucker has previously lost actions arising from these claims in both the Southern District of New York and this Court. James also previously lost a case asserting these allegations in the Northern District of Indiana. Now, the Plaintiffs have filed yet another action arising from this set of facts in this Court. This time, however, they reconfigured their copyright claims as civil RICO claims. They also added Harpo, Inc., Oprah Winfrey, Oprah Winfrey Network, and Barbara Hunt as defendants. The Court dismissed the claims

against Barbara Hunt due to lack of personal jurisdiction.<sup>1</sup>

The Court also granted the Defendants' Motion for Judgment on the Pleadings as to the remaining Defendants, finding that the Plaintiffs' claims were frivolous and barred by res judicata.<sup>2</sup> The Plaintiffs have since appealed that ruling. The Defendants now move for summary judgment as to their counterclaim. In their counterclaim, the Defendants seek an injunction barring the Plaintiffs from instituting any further legal actions in any courts based on the facts and activities alleged in the previous lawsuits filed by the Plaintiffs.<sup>3</sup> The Plaintiffs

**Case 1:17-cv-01181-TWT Document 168  
Filed 08/10/18 Page 3 of 9**

have also filed a Motion for Judgment, asserting the same arguments this Court and other courts have already rejected. II. Legal Standard Summary judgment is appropriate only when the pleadings, depositions, and affidavits submitted by the parties show no genuine issue of material fact exists and that the movant is entitled to judgment as a matter of law.<sup>4</sup>

The court should view the evidence and any inferences that may be drawn in the light most favorable to the nonmovant.<sup>5</sup> The party

---

<sup>1</sup> See [Doc. 136].

<sup>2</sup> See [Doc. 138].

<sup>3</sup> See [Doc. 33] at 14-16.

<sup>4</sup> FED. R. CIV. P. 56(a).

<sup>5</sup> *Adickes v. S.H. Kress & Co.*, 398 U.S. 144, 158-59 (1970).

seeking summary judgment must first identify grounds to show the absence of a genuine issue of material fact.<sup>6</sup> The burden then shifts to the non-movant, who must go beyond the pleadings and present affirmative evidence to show that a genuine issue of material fact exists.<sup>7</sup> “A mere ‘scintilla’ of evidence supporting the opposing party’s position will not suffice; there must be a sufficient showing that the jury could reasonably find for that party.”<sup>8</sup> III. Discussion A. Plaintiffs’ Motion for Judgment First, the Plaintiffs move for entry of judgment in their favor. The

**Case 1:17-cv-01181-TWT Document 168  
Filed 08/10/18 Page 4 of 9**

Plaintiffs’ Motion, which is largely repetitive, unintelligible, and lacking a basis in reality, seems to be another attempt to relitigate this Court’s previous orders dismissing their claims.<sup>9</sup> This Court has already dismissed the Plaintiffs’ claims against Barbara Hunt for lack of personal jurisdiction,<sup>10</sup> and granted the remaining Defendants’ Motion for Judgment on the Pleadings.<sup>11</sup> This Court previously concluded that the Plaintiffs’ claims, which are not only frivolous but ludicrous, fail to state a plausible

---

<sup>6</sup> Celotex Corp. v. Catrett, 477 U.S. 317, 323-24 (1986).

<sup>7</sup> Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 257 (1986)

<sup>8</sup> Walker v. Darby 911 F.2d 1573, 1577 (11th Cir. 1990)

<sup>9</sup> See Pls.’ Mot. for J., at 8-10 (arguing that the Defendants are liable for damages under RICO).

<sup>10</sup> See [Doc. 136].

<sup>11</sup> See [Doc. 138].

claim for relief. The Court also rejected the Plaintiffs' Motion for Reconsideration.<sup>12</sup>

The Court will not further entertain the Plaintiffs' attempts to relitigate issues which it has conclusively ruled upon. This is just another attempt to argue the merits of claims that this Court has already dismissed. Furthermore, the Plaintiffs have already filed a Notice of Appeal. Thus, this Court no longer has jurisdiction over the Plaintiffs' claims.<sup>13</sup> The Plaintiffs' Motion for Judgment is consequently denied. B. Defendants' Motion for Summary Judgment Next, the Defendants move for summary judgment as to them

**Case 1:17-cv-01181-TWT Document 168  
Filed 08/10/18 Page 5 of 9**

counterclaim against the Plaintiffs. In their counterclaim, the Defendants seek an injunction under the All Writs Act enjoining the Plaintiffs from filing future lawsuits based on the same alleged factual predicate for this action and the previous related actions.<sup>14</sup> According to the Defendants, the Plaintiffs are abusive litigants who have asserted baseless copyright infringement claims against them in various courts over the past five years, despite numerous judgments dismissing those claims.

---

<sup>12</sup> See [Doc. 154].

<sup>13</sup> Taylor v. Sterrett, 640 F.2d 663, 667 (11th Cir. 1981) ("It is the general rule that a district court is divested of jurisdiction upon the filing of the notice of appeal with respect to any matters involved in the appeal.").

<sup>14</sup> See [Doc. 33] at 14-16.

The Defendants contend that an injunction barring the Plaintiffs from filing new actions based upon these allegations is necessary due to the Plaintiffs' refusal to stop asserting these same claims.<sup>15</sup> "Federal courts have both the inherent power and the constitutional obligation to protect their jurisdiction from conduct which impairs their ability to carry out Article III functions."<sup>16</sup> "The All Writs Act is a codification of this inherent power and provides that '[t]he Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.'"<sup>17</sup> "[T]he Act allows [courts] to safeguard not only ongoing proceedings, but potential future proceedings, as well as already-issued orders and

**Case 1:17-cv-01181-TWT Document 168  
Filed 08/10/18 Page 6 of 9**

judgments."<sup>18</sup> District courts have the power under the All Writs Act "to enjoin litigants who are abusing the court system by harassing their opponents."<sup>19</sup> This is because "[a] litigious plaintiff pressing a frivolous claim, though rarely

---

<sup>15</sup> Defs.' Mot. for Summ. J., at 8-12.

<sup>16</sup> *Procup v. Strickland*, 792 F.2d 1069, 1073 (11th Cir. 1986).

<sup>17</sup> *Maid of the Mist Corp. v. Alcatraz Media, LLC*, 388 F. App'x 940, 942 (11th Cir. 2010) (quoting *Klay v. United Healthgroup, Inc.* 376 F.3d 1092, 1099 (11th Cir. 2004))

<sup>18</sup> *Klay*, 376 F.3d at 1099.

<sup>19</sup> *Harrelson v. United States*, 613 F.2d 114, 116 (5th Cir. 1980).



succeeding on the merits, can be extremely costly to the defendant and can waste an inordinate amount of court time.”<sup>20</sup>

“The court has a responsibility to prevent single litigants from unnecessarily encroaching on the judicial machinery needed by others.”<sup>21</sup> And, although a litigant cannot be completely foreclosed from all access to the court, “[a] party seeking to obtain an All Writs Act injunction ‘must simply point to some ongoing proceeding, or some past order or judgment, the integrity of which is being threatened by someone else’s action or behavior.’”<sup>22</sup> Courts have regularly issued injunctions such as these in response to frivolous litigants.<sup>23</sup>

---

<sup>20</sup> Id

<sup>21</sup> Procup, 792 F.2d at 1074

<sup>22</sup> Maid of the Mist Corp, 388 F. App’x at 942 (quoting Klay, 376 F.3d at 1100).

<sup>23</sup> See, e.g. , Maid of the Mist Corp. , 388 F. App’x at 942 (concluding that an injunction was proper when the plaintiff “repeatedly filed unsubstantiated, duplicative pleadings, many after the district court issued an order denying them”); Laosebikan v. Coca-Cola Co. , 415 F. App’x 211, 215 (11th Cir. 2011) (holding that a filing injunction was appropriate since the vexatious plaintiff’s claims were barred by res judicata ); Harrelson , 613 F.2d at 116 (upholding filing injunction when “the plaintiff has forced various defendants in and out of court for almost five years and has had a full opportunity to present and litigate his claims”); In re Williams , No. MC 117-001, 2017 WL 3167378, at \*1-\*3 (S.D. Ga. July 25, 2017) (enjoining a “serial frivolous filer” who had engaged in a “campaign of harassment and vexatious litigation in federal courts”).

The Court concludes that the requested injunction is necessary to protect the integrity of the court system and to prevent the continued harassment of the Defendants by the Plaintiffs. This is the third time that Tucker has asserted these claims against the Perry Defendants and Lions Gate Entertainment. She lost her cases in the Southern District of New York and in this Court. This is the second time that James has asserted his copyright claims against the Perry Defendants and Lions Gate Entertainment.

He lost his case in the Northern District of Indiana. The Plaintiffs have demonstrated a consistent disregard for the judgments of the various courts dismissing these actions. Absent an injunction, there is no indication the Plaintiffs will think twice about continuing to assert these baseless claims against the Defendants. The principles of res judicata have not served as a deterrent to frivolous filings by the Plaintiffs. And, the Plaintiffs' conduct within this particular case has itself been disruptive and abusive to the Court's judicial function. The Plaintiffs have filed over 90 purported motions, counter-motions, replies, objections, amendments and exhibits since the commencement of this action, consuming thousands of pages of record. And, as this Court previously noted, each of these filings "had little or no basis in fact or law or relevance, or which are otherwise

unintelligible.”<sup>24</sup>

The Plaintiffs have consistently made outrageous and fanciful claims in their filings. This conduct is not only costly and burdensome to the Defendants, but also imposes “a burden to clerical and judicial operations and is an impediment to the administration of justice.”<sup>25</sup> Because of this, the Court concludes that a filing injunction under the All Writs Act is appropriate here.

The Court has the inherent jurisdiction to protect itself against the abuses that litigants such as Tucker and James visit upon it.<sup>26</sup> Without an injunction, the Plaintiffs will very likely continue to use the judicial system as a tool to harass the Defendants and waste judicial resources. The Plaintiffs have displayed nothing short of complete disregard for the numerous court rulings in favor of the Defendants.

Therefore, the Court orders that the Plaintiffs are enjoined from filing any further pleading, motion, or other paper in relation to the instant action (other than the pending appeal and any appeal of this Order), and any new lawsuit in any court against any of the Defendants named in this action involving claims

---

<sup>24</sup> See [Doc. 95] at 1

<sup>25</sup> *Maid of the Mist Corp.*, 388 F. App’x at 942.

<sup>26</sup> *Procup v. Strickland*, 792 F.2d 1069, 1073 (11th Cir. 1986) (“There should be little doubt that the district court has the jurisdiction to protect itself against the abuses that litigants like Procup visit upon it.”).

arising from the same factual predicate or nucleus of operative facts as this case without obtaining the express written permission of the undersigned.

**Case 1:17-cv-01181-TWT Document 168  
Filed 08/10/18 Page 9 of 9**

**IV. Conclusion**

the reasons stated above, the Defendants' Motion for Summary Judgment [Doc. 157] is **GRANTED** and the Plaintiffs' Motion for Judgment [Doc. 162] is **DENIED**. SO ORDERED, this 10 day of August, 2018. IV. Conclusion For the reasons stated above, the Defendants' Motion for Summary Judgment [Doc. 157] is **GRANTED** and the Plaintiffs' Motion for Judgment [Doc. 162] is **DENIED**. SO ORDERED, this 10 day of August, 2018.

/s/Thomas W. Thrash  
THOMAS W. THRASH, JR.  
United States District Judge

**APPENDIX B**

**Case 1:17-cv-01181-TWT Document 169  
Filed 08/10/18 Page 1 of 2**

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**WILLIAM JAMES and TERRI V. TUCKER,  
Plaintiffs,  
CIVIL ACTION FILE**

**vs.**

**NO. 1-17-cv-1181-TWT**

BARBARA HUNT, HARPO, LIONSGATE  
ENTERTAINMENT, OPRAH WINFREY  
NETWORK, OPRAH WINFREY, TYLER  
PERRY COMPANY, TYLER PERRY STUDIOS,  
Defendants.

**J U D G M E N T**

This action having come before the court, Honorable THOMAS W. THRASH, JR., Chief United States District Judge, for consideration of Defendant Barbara Hunt's Motion to Dismiss and Defendant Harpo, Lionsgate Entertainment, Oprah Winfrey Network, Oprah Winfrey, Tyler Perry Company and Tyler Perry Studios' Motions for Summary Judgment, and the court having GRANTED said motions by Orders dated October 19, 2017 and August 10, 2018, it is Ordered and Adjudged that Plaintiffs take nothing; that Defendants recover their costs of this action and the action be, and the same hereby, is dismissed. Dated at Atlanta, Georgia, this 9th day of August, 2018.

JAMES N. HATTEN  
CLERK OF COURT and  
DISTRICT COURT EXECUTIVE

**Case 1:17-cv-01181-TWT Document 169**  
**Filed 08/10/18 Page 2 of 2**  
By: s/J. Lee  
Deputy Clerk  
Prepared, Filed, and Entered  
in the Clerk's Office  
August 10, 2018  
James N. Hatten

Clerk of Court  
By: s/J. Lee  
Deputy Clerk

**APPENDIX C**

**Case: 17-14866 Date Filed: 03/29/2018**  
**Page: 1 of 1**

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT  
ELBERT PARR TUTTLE COURT OF  
APPEALS BUILDING**

56 Forsyth Street, N.W. Atlanta, Georgia 30303  
David J. Smith Clerk of Court

**March 29, 2018**

For rules and forms visit [www.ca11.uscourts.gov](http://www.ca11.uscourts.gov)

William James

3058 Fresno Lane Homewood, IL 60430

Terri V. Tucker

1136 JOSLIN PATH DOUGLASVILLE,  
GA 30134

Appeal Number: 17-14866-FF Case Style:  
William James, et al v. Barbara Hunt, et al

**District Court Docket No: 1:17-cv-01181-  
TWT**

Based upon the responses of the parties, it appears that this court has jurisdiction to consider this appeal. A final determination regarding jurisdiction will be made by the panel to whom this appeal is submitted on the merits. Appellee's brief is due 30 days from the date of this letter.

Sincerely,

DAVID J. SMITH,  
Clerk of Court  
Reply to: Janet K. Mohler, FF/ej Phone #: (404)  
335-6178

JUR-3 Ntc of prob juris

**APPENDIX C**

**Case: 17-14866      Date Filed: 09/21/2018**  
**Page: 1 of 2**

**IN THE UNITED STATES COURT OF  
APPEALS  
FOR THE ELEVENTH CIRCUIT**

Nos. 17-14866-FF; 18-13553-F  
WILLIAM JAMES, Sui Juris, TERRI V.  
TUCKER, Sui Juris, a.k.a. Terri V. Donald-  
Strickland, a.k.a. TLO-Redness,  
                                Plaintiffs-Counter  
                                Defendants-Appellants,  
                                Versus  
BARBARA HUNT, JUDGE THOMAS W.  
THRASH, JR.,  
                                Defendants-Appellees,  
HARPO, LIONSGATE ENTERTAINMENT,  
OPRAH WINFREY NETWORK, (OWN),  
OPRAH WINFREY, d.b.a. Oprah Winfrey  
Network, TYLER PERRY COMPANY, TYLER  
PERRY STUDIOS, (TPS), TYLER PERRY,  
a.k.a. Emmett Perry Jr., a.k.a. Emmett J. Perry,  
a.k.a. Buddy, a.k.a. John Ivory, a.k.a. Emmett  
M. Perry, a.k.a. Emmbre R. Perry, a.k.a.  
Emmitt R. Perry, a.k.a. Emmett T. Perry, a.k.a.

Willie M. Perry, a.k.a. Emmett Ty Perry, a.k.a.  
Emmett Perry, a.k.a. Tyler E. Perry

**Case: 17-14866      Date Filed: 09/21/2018**

**Page: 2 of 2**

d.b.a. Tyler Perry Studios,  
Defendants-Counter  
Claimants-Appellees.

**Appeals from the United States District  
Court for the Northern District of Georgia  
ORDER:**

The Plaintiffs have filed in this Court five motions and a letter, collectively seeking:

(1) to file an amended or joint and consolidated notice of appeal, or to consolidate Case No. 17-14866 with the related appeal in Case No. 18-13553; (2) to stay the appeal in Case No. 17-14866; (3) to supplement the record; (4) to file a motion for reconsideration; (5) to file an objection; and (6) to inform this Court of multiple docketing errors. The Plaintiffs' motions are DENIED. Case No. 17-14866 and Case No. 18-13553 shall proceed separately. To the extent that the motions assert arguments related to the issue on appeal in Case No. 18-13553, rather than Case No. 17-14866, those motions are DENIED WITHOUT PREJUDICE to the Plaintiffs' refiling of such motions in the appeal in Case No. 18-13553.

**/s/ William H. Pryor Jr.  
UNITED STATES CIRCUIT JUDGE**



**APPENDIX C**

**Case: 18-13553      Date Filed: 09/21/2018**  
**Page: 1 of 2**

**IN THE UNITED STATES COURT OF  
APPEALS  
FOR THE ELEVENTH CIRCUIT**

Nos. 17-14866-FF; 18-13553-F

WILLIAM JAMES, Sui Juris, TERRI V.  
TUCKER, Sui Juris, a.k.a. Terri V. Donald-  
Strickland, a.k.a. TLO-Redness,

Plaintiffs-Counter  
Defendants-Appellants,  
versus

BARBARA HUNT, JUDGE THOMAS W.  
THRASH, JR.,

Defendants-Appellees,  
HARPO, LIONSGATE ENTERTAINMENT,  
OPRAH WINFREY NETWORK, (OWN),  
OPRAH WINFREY, d.b.a. Oprah Winfrey  
Network, TYLER PERRY COMPANY, TYLER  
PERRY STUDIOS, (TPS), TYLER PERRY,  
a.k.a. Emmett Perry Jr., a.k.a. Emmett J. Perry,  
a.k.a. Buddy, a.k.a. John Ivory, a.k.a. Emmett  
M. Perry, a.k.a. Emmbre R. Perry, a.k.a.  
Emmitt R. Perry, a.k.a. Emmett T. Perry, a.k.a.  
Willie M. Perry, a.k.a. Emmett Ty Perry, a.k.a.  
Emmett Perry, a.k.a. Tyler E. Perry,

**Case: 18-13553      Date Filed: 09/21/2018**  
**Page: 2 of 2**

d.b.a. Tyler Perry Studios,  
Defendants-Counter  
Claimants-Appellees.

**Appeals from the United States District  
Court for the Northern District of Georgia  
ORDER:**

The Plaintiffs have filed in this Court five motions and a letter, collectively seeking:

(1) to file an amended or joint and consolidated notice of appeal, or to consolidate Case No. 17-14866 with the related appeal in Case No. 18-13553; (2) to stay the appeal in Case No. 17-14866; (3) to supplement the record; (4) to file a motion for reconsideration; (5) to file an objection; and (6) to inform this Court of multiple docketing errors.

The Plaintiffs' motions are DENIED. Case No. 17-14866 and Case No. 18-13553 shall proceed separately. To the extent that the motions assert arguments related to the issue on appeal in Case No. 18-13553, rather than Case No. 17-14866, those motions are DENIED WITHOUT PREJUDICE to the Plaintiffs' refiling of such motions in the appeal in Case No. 18-13553.

**/s/ William H. Pryor Jr.  
UNITED STATES CIRCUIT JUDGE**